

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, JULY 25, 2002**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank A. de la Fe, Hunter Mill District
Joan M. DuBois, Dranesville District
Suzanne F. Harsel, Braddock District
Ilryong Moon, Commissioner At-Large
Peter F. Murphy, Jr., Springfield District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Janet R. Hall, Mason District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Linda Q. Smyth, Providence District

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The meeting was called to order at 8:20 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner Byers MOVED THAT THE PUBLIC HEARING ON RZ/FDP-2002-MV-020, CHRISTOPHER MANAGEMENT INC, TRUSTEES OF ENGLSIDE BAPTIST CHURCH AND SE-2002-MV-022, ENGLSIDE BAPTIST CHURCH, BE DEFERRED TO A DATE CERTAIN OF SEPTEMBER 19, 2002.

Commissioner Wilson seconded the motion which carried unanimously with Commissioners Hall, Kelso, Koch and Smyth absent from the meeting.

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Commissioner Byers MOVED THAT THE PUBLIC HEARING ON SEA-98-V-042, BELLE HAVEN COUNTRY CLUB, INC., BE DEFERRED TO A DATE CERTAIN OF SEPTEMBER 12, 2002.

Commissioner Wilson seconded the motion which carried unanimously with Commissioners Hall, Kelso, Koch and Smyth absent from the meeting.

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Commissioner DuBois announced her intention to take action on architectural elevations for the McLean Bible Church, SEA-78-D-098-2, on September 11, 2002.

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Commissioner Harsel MOVED TO APPROVE THE FOLLOWING MINUTES:

May 2, 2001	May 10, 2001	May 23, 2001	May 31, 2001
May 3, 2001	May 16, 2001	May 24, 2001	
May 9, 2001	May 17, 2001	May 30, 2001	

Commissioner Byers seconded the motion which carried by a vote of 7-0-1 with Commissioner de la Fe abstaining; Commissioners Hall, Kelso, Koch and Smyth absent from the meeting.

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Chairman Murphy pointed out that the Commission was losing one of its staff members, Virginia Ruffner, Management Analyst II, who had accepted a promotion to return to the Department of Planning and Zoning as Chief of the Applications Acceptance Branch in the Zoning Evaluation Division. He noted that she would be sorely missed and wished her well.

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Chairman Murphy also noted that this was the last meeting of the Planning Commission until September 11, 2002 and wished everyone an enjoyable vacation time.

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S02-CW-1CP - OUT-OF-TURN PLAN AMENDMENT (Decision Only)

(The public hearing on this application was held on July 11, 2002. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THEY ADOPT OUT-OF-TURN PLAN AMENDMENT S02-CW-1CP, CONSISTENT WITH THE TEXT IN THE HANDOUT TO THE PLANNING COMMISSION DATED JULY 25, 2002, LABELED "VERSION 2" AS AMENDED:

ON PAGE 2, UNDER POLICY B., DELETE THE WORD "PRIVATE" ON LINE 2;

ON PAGE 4, IN THE INTRODUCTION, DELETE THE WORD "OVER" IN THE FIRST LINE.

Commissioner Wilson seconded the motion which carried by a vote of 7-0-1 with Commissioner Harsel abstaining; Commissioners Hall, Kelso, Koch and Smyth absent from the meeting.

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FSA-L96-74-1 - SPRINT PCS - 6320 Augusta Drive

Commissioner Wilson MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT THE MODIFICATIONS PROPOSED BY SPRINT PCS FOR THE TELECOMMUNICATIONS FACILITY LOCATED AT 6320 AUGUST DRIVE ARE IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND CONSISTENT WITH THE PRIOR APPROVAL GRANTED BY THE PLANNING COMMISSION UNDER FSA-L96-74 ON MAY 20, 1997.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Hall, Kelso, Koch and Smyth absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order for the agenda items:

1. SEA-93-D-027-2 - EXXON MOBIL CORPORATION (FORMERLY KNOWN AS EXXON CORPORATION)
2. SE-97-L-041 - SHURGARD STORAGE CENTERS, INC.
3. SE-2002-DR-005 - JOHN MILTON COLTON HAND, II, ALEXANDRA H. MATEER AND VICTORIA B. HAND

This order was accepted without objection.

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SEA-93-D-027-2 - EXXON MOBIL CORPORATION (FORMERLY KNOWN AS EXXON CORPORATION) - Appl. under Sects. 4-804 & 9-622 of the Zoning Ord. to amend SE-93-D-027 previously approved for a service station & quick service food store to permit a service station, quick-service food store, car wash & modifications/waivers in a commercial revitalization district on property located at 6720 & 6724 Old Dominion Dr. on approx. 1.28 ac. zoned C-8, HC & CRD. Tax Map 30-2((1))52 & 53. DRANESVILLE DISTRICT. PUBLIC HEARING.

Keith Martin, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, PC, reaffirmed the affidavit dated May 22, 2002. There were no disclosures by Commission members.

Ms. Leslie Johnson, Zoning Evaluation Division, Department of Planning and Zoning, presented that staff report, a copy of which is in the date file. She noted that staff recommended denial of the application because it was not in conformance with the Comprehensive Plan. She said staff believed the proposed expansion could significantly hinder the eventual implementation of the mixed-use land pattern envisioned by the Comprehensive Plan.

Ms. Johnson responded to a question from Chairman Murphy about staff's rationale for recommending that several entrances to the service station be closed.

In response to a question from Commissioner DuBois, Ms. Johnson said that staff had had considerable discussion about Plan language and how it applied to this application.

Mr. Martin stated that the applicant had willingly and carefully planned every aspect of the proposed enhancement to the existing service station, a flagship station for Exxon, which would establish the core image of the McLean Revitalization District. He noted that numerous meetings had taken place with the McLean Planning Committee, the McLean Citizens Association and citizens. He explained that staff had recommended denial based solely on flawed Comprehensive Plan language for this subunit of the McLean Community Business Center (CBC). He said citizens who had authored the text had not taken into account existing uses and pointed out that the applicant had been doing business in this location since 1959 and had not been consulted or notified that the property was going to be planned for office use. He said the proposed development was in compliance with the Comprehensive Plan because it would enhance the existing use, improve the core image of the CBC, and provide amenities, traffic improvements, improved architecture, streetscaping, landscaping and utility undergrounding. He said in response to community concerns, the number of pump islands had been reduced and the state-of-the-art carwash had been relocated behind the building. He submitted for the record a noise study which had concluded that the carwash would have no noise impact on the nearest residential properties. (A copy of the study is in the date file.) He said the "On the Run" store would be 3,000 square feet smaller than the existing building, with a peaked roof to give it a residential feel, and would have hardwood floors and Corian countertops. He noted that over \$100,000 had been spent on architectural details. He said amenities included brick pavers, street trees, a brick wall to screen the neighborhood, trellises and a southern garden theme with climbing flowering vines on the rear of the building façade. He emphasized that it would be the first project in McLean to completely address the McLean CBC Design Guidelines and that the highest priority had been given to undergrounding utilities which was a main objective of the Comprehensive Plan for this area. He also submitted a document from Bell Bros. Inc. estimating that the cost to underground utilities at the intersection of Old Dominion Drive and Chain Bridge Road would be \$806,000 and said the applicant had committed to a contribution of \$250,000 for this project. (A copy of the estimate is in the date file.) He pointed out that if the work was performed while the station was under reconstruction, costs could be further reduced. Mr. Martin also submitted numerous letters of support from McLean residents who desired to retain the station and expressed appreciation for the proposed architecture, streetscape and underground utilities. (Copies of these letters are in the date file.) He requested a favorable recommendation of the project to further the revitalization efforts for downtown McLean.

In response to a question from Commissioner de la Fe, Mr. Martin said that the existing ten service bays were not being used and that these bays and the Tiger Mart were 3,000 square feet larger than the proposed building.

Mr. Martin responded to a question from Commissioner Alcorn about the noise study.

Responding to questions from Commissioner Harsel, Mr. Martin explained the proposed traffic circulation pattern and said that if a roundabout was constructed, the Chain Bridge Road entrance to the station would be closed. Commissioner Harsel expressed concerns about intensifying the use of the property and about traffic circulation. Chairman Murphy questioned whether the proposed use would in fact be an intensification of use, pointing out that the service bays could be reopened.

Commissioner DuBois noted that the landscape plan misidentified Old Dominion Drive and Chain Bridge Road and requested that Mr. Martin correct it before the application went to the Board.

Chairman Murphy called the first listed speaker and recited rules for testimony before the Commission.

Mr. Daniel DuVal, 1221 Merchant Lane, McLean, President, McLean Planning Committee, said the Committee had passed a resolution opposing the application because it was not in harmony with the Comprehensive Plan. He said the majority of adjoining residential neighborhoods opposed the carwash and were concerned about access to the site. (A copy of the resolution is in the date file.)

Ms. Barbara Phillips, 1453 McLean Mews Court, McLean, expressed opposition to the proposed development because it was not in conformance with the Comprehensive Plan. She also cited concerns about the carwash and traffic. (A copy of her remarks is in the date file.)

In response to a question from Commissioner Byers, Ms. Johnson said the previous application approved in 1993 replaced four pump islands with six, added a canopy and replaced two service bays with a quick service food store.

Responding to a question from Commissioner de la Fe, Ms. Phillips said she would prefer not to have a gas station located at the site, but since that was not likely to happen, she did not want to see the use intensified or expanded. Responding to a question from Commissioner Harsel, Ms. Phillips said citizens may have been able to support the application without the addition of the carwash.

Ms. Kyle Raffaniello, 1161 Old Gate Court, McLean, expressed support for the proposal. She said the architecture, landscaping and sidewalk treatments would significantly upgrade the appearance of the central intersection in McLean.

Ms. Karen Brown, 1445 McLean Mews Court, McLean, expressed opposition to the proposed development. She said it would adversely affect her neighborhood, quality of life and the investment in her home. She said five gas stations, nine fast food restaurants, three convenience stores, four supermarkets and two carwashes operated in the vicinity of the intersection of Old Dominion Drive and Chain Bridge Road.

Chairman Murphy pointed out that the fact that other similar establishments existed nearby was not grounds to deny an application. He said to do so would be a restriction of trade and explained that the Planning Commission would make its recommendation based on compliance with the Zoning Ordinance and the Comprehensive Plan.

Mr. Philip Freedenberg, 1443 McLean Mews Court, McLean, Vice President, McLean Mews Homeowners Association, said the Association strongly opposed the application because it was not in harmony with the Comprehensive Plan and would do nothing to enhance the core image of the Central Business District. In addition, he said the proposed development would add to traffic congestion, increase pollution and noise levels, and adversely affect property values. (A copy of his remarks is in the date file.)

In response to a question from Commissioner Alcorn, Mr. Freedenberg said the primary concern of the homeowners was the addition of the carwash.

Ms. Naila Aziz Ahmed, 1493 McLean Mews Court, McLean, President, McLean Mews Homeowners Association, expressed opposition to the proposed development because it would have multiple adverse affects on the surrounding properties with no mitigating benefits. (A copy of her remarks is in the date file.)

In response to a question from Commissioner DuBois, Ms. Ahmed said she thought that Exxon should pay one hundred percent of the cost of undergrounding utilities. Responding to a question from Commissioner Alcorn, Ms. Ahmed said her most serious concern about the application was the carwash.

Chairman Murphy commented that there was no empirical evidence to support the premise that a carwash or service station adversely affected property values.

Mr. James Peoples, 6648 Hawthorne Street, McLean, President, Bryn Mawr Citizens Association, requested that the Planning Commission recommend denial of the application. He refuted Mr. Martin's contention that the Comprehensive Plan was flawed, saying that the mixed-use designation had been left in place after consideration of all factors including its location, size, shape and ownership. (A copy of his remarks is in the date file.)

Ms. Johnson responded to a question from Commissioner Byers about the intensity of a retail/office use compared to the proposed use.

Ms. Diane D'arcy, 2016 Highboro Way, Falls Church, expressed support for the proposal. She said she was not convinced it would be an intensification of the use and pointed out the

improvements to Corner Lane would facilitate pedestrian access. She suggested that the development condition addressing lighting be revised to state that it be horizontally mounted instead of downward facing.

In response to a question from Commissioner Wilson, Ms. D'arcy said the correct term for the lighting she was recommending was "shoebox fixtures with horizontal mounts."

Responding to a question from Commissioner Alcorn, Ms. D'arcy said she thought the citizens who opposed the application had overlooked the benefits it would provide to the community.

Mr. Doug Potts, 6653 Hampton Park Court, McLean, expressed opposition to the application because it did not meet the objectives of the Comprehensive Plan of providing amenities, consolidating properties, making traffic improvements and meeting design objectives. (A copy of his remarks is in the date file.)

There were no further speakers, therefore, Chairman Murphy called upon Mr. Martin for a rebuttal statement.

Mr. Martin stated that Exxon's proposed renovation did not represent a standard approach and was not a corporate template. He said Exxon had taken a special approach to this station, hiring both a new architect to design the station and the author of the McLean Design Guidelines to ensure that the redesign was compatible with the desires of the citizens. He compared a photograph of the proposed station with photographs of the existing businesses in the area which illustrated that the new station would enhance the core image of McLean. He said in response to citizens' concerns, the carwash had been relocated, with a door added to mitigate the noise impact, and the hours of operation had been reduced. He reiterated the fact that a substantial contribution would be made for underground utilities. He said that the application was in conformance with the Comprehensive Plan and requested a recommendation of approval.

Mr. Martin responded to a question from Commissioner Byers about his assertion that the Comprehensive Plan for the subject area was flawed. Commissioner Byers said he did not think the Plan was flawed, but represented what citizens would like to see there.

Responding to a question from Commissioner Alcorn, Mr. Martin said that a carwash was essential to ensure the economic viability of the project due to the expense of providing the architectural details, streetscaping, landscaping, and utility undergrounding.

Commissioner Harsel reiterated her concern that a carwash would be an intensification of the use of the property.

Commissioner de la Fe commented that he did not believe the Comprehensive Plan was flawed, pointing out that it provided for the retention of existing retail uses; that a carwash would not intensify the use because ten service bays were being given up; and that the proposal would revitalize the area.

Ms. Johnson responded to questions from Commissioner Wilson about examples of convenience retail uses, vehicle trips generated by the proposed use, and a future roundabout.

Responding to a question from Commissioner Moon, Mr. Martin said he believed Exxon's proposal was a retention of an existing retail use.

Chairman Murphy commented that he did not have a problem reconciling this application with the Comprehensive Plan language because it suggested that retail uses be continued. He pointed out that flexibility was essential in accomplishing revitalization goals and that theoretically the service bays could be reopened. He requested that the applicant relook at the proposed lighting of the station to ensure that it would not be too intense.

Commissioner Wilson said that she believed encouraging existing owners to reinvest in and improve their properties furthered the revitalization goals of the County.

Commissioner Alcorn stated that the only issue he had with the proposal was the carwash.

Ms. Johnson brought the Commission's attention to revised development conditions distributed yesterday which added conditions concerning the hours of operation for the carwash and stating that the brick wall along Corner Lane should not exceed four feet in height unless approval of a variance was obtained to permit a six foot wall.

There were no further comments or questions from the Commission and no other closing remarks from staff, therefore, Chairman Murphy closed the public hearing and recognized Commissioner DuBois for action on this item. (A verbatim transcript is in the date file.)

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Commissioner DuBois MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-93-D-027-2, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JULY 24, 2002, WITH THE FOLLOWING CHANGES:

ADD TO NUMBER 17: "AT TIME OF SITE PLAN APPROVAL THE APPLICANT SHALL CONTRIBUTE THE SUM OF \$250,000 TO A SPECIFIC FAIRFAX COUNTY FUND FOR THE UNDERGROUNDING OF UTILITIES AT THE INTERSECTION OF OLD DOMINION DRIVE AND CHAIN BRIDGE ROAD";

AND WITH THE CAVEAT THAT STAFF TAKE A LOOK AT STRENGTHENING CONDITION NUMBER 6 REGARDING LIGHTING.

Commissioners de la Fe and Wilson seconded the motion which carried by a vote of 4-3-1 with Commissioners Alcorn, Byers and Moon opposed; Commissioner Harsel abstaining; Commissioners Hall, Kelso, Koch and Smyth absent from the meeting.

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE FOLLOWING WAIVERS AND MODIFICATIONS, IN ACCORDANCE WITH SECTION 9-622 OF THE ZONING ORDINANCE, AND INCREASES IN THE CRD DISTRICT AS REQUESTED TO PERMIT:

A WAIVER OF THE MINIMUM LOT WIDTH REQUIREMENT;

MODIFICATION OF THE MINIMUM FRONT YARD SETBACK OF 20 FEET TO PERMIT A TRELLIS IN THE MINIMUM FRONT YARD AND TO PERMIT THE CAR WASH TO BE LOCATED FIVE FEET FROM CORNER LANE;

A WAIVER OF THE SERVICE DRIVE REQUIREMENT ALONG OLD DOMINION DRIVE;

WAIVER OF THE BARRIER REQUIREMENT ALONG CORNER LANE IN FAVOR OF THE BRICK WALL DEPICTED ON THE SE PLAT;

AND WAIVER OF THE TRAIL REQUIREMENT ALONG CHAIN BRIDGE ROAD AND OLD DOMINION DRIVE IN FAVOR OF THE STREETScape PLAN AS DEPICTED ON THE SE PLAT.

Commissioners de la Fe and Wilson seconded the motion which carried by a vote of 4-3-1 with Commissioners Alcorn, Byers and Moon opposed; Commissioner Harsel abstaining; Commissioners Hall, Kelso, Koch and Smyth absent from the meeting.

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The Commission recessed at 10:50 p.m. and reconvened in the Board Auditorium at 11:05 p.m.

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Chairman Murphy noted that Commissioner Alcorn would be handling the following case in the Lee District.

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SE-97-L-041 - SHURGARD STORAGE CENTERS, INC. - Appl. under Sect. 4-804 of the Zoning Ord. to permit a mini-warehousing establishment on property located at 7212 Richmond Hwy. on approx. 5.26 ac. zoned C-8, HC & CRD. Tax Map 92-4((1))48 & 49A. LEE DISTRICT. PUBLIC HEARING.

Robert Lawrence, Esquire, with Reed Smith, LC, reaffirmed the affidavit dated July 2, 2002. There were no disclosures by Commission members.

Ms. Mavis Stanfield, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended denial of the application because the site layout was not consistent with the recommendations of the Comprehensive Plan. She also said the proposed termination of Fordson Road had not been reviewed and approved by the Virginia Department of Transportation (VDOT).

Mr. Lawrence called the Commission's attention to a booklet distributed to them containing information about this application, including letters of support from the Groveton Civic Association, the Southeast Fairfax Development Corporation (SFDC) and the Lee District Land Use Advisory Committee. (A copy of the booklet is in the date file.) He said the issue raised by staff concerning the termination of Fordson Road had been addressed in Development Condition Number 15 to the satisfaction of the Lee District Land Use Advisory Committee, VDOT, the Fairfax County Department of Transportation, and Lee District Supervisor Dana Kaufmann. He reviewed the history of the application and described the development plan which consisted of townhouse office uses and a mini-warehouse facility. He said because the townhouse offices would be at a higher elevation than the mini-warehouse facility, the warehouse would not be visible from Richmond Highway. He noted that the development would have a dry pond with a marshland in lieu of a wet pond as requested by staff. He said that the proposed storage facility would generate fewer daily vehicle trips than by-right development. He explained that the applicant and staff were not in agreement with the height of the proposed storage buildings. He said staff recommended that they be two stories, while the applicant, the SFDC and citizens supported one-story buildings because they would be less obtrusive, which was the intent of the Comprehensive Plan.

In response to a question from Chairman Murphy, Ms. Stanfield explained that staff had no objection to a mini-warehouse facility on the site, but did object to the layout because it presented a fortress-like appearance with walls facing the road on three sides without a visual break. In addition, she said it did not allow for tree preservation. She said staff believed these issues could be mitigated by using more two-story buildings and breaking up the fence line. Responding to another question from Chairman Murphy, Mr. Lawrence said in order to obtain the support of the SFDC, the applicant had to agree that the mini-warehouses would not front on Richmond Highway; brick walls would be constructed on all sides facing outside; that garage doors would not be visible from any point outside the site; and that the buildings would have peaked roofs. Mr. Lawrence added that the proposed plan had been reviewed by the SFDC, the Route 1 Corridor Task Force, the Lee District Land Use Advisory Committee, and the Groveton Civic Association.

Commissioner Alcorn confirmed that the plan had been presented to the Task Force.

Continuing his presentation, Mr. Lawrence explained that two white pines on the property could not be saved because they were located in the middle of the site, and that a gum tree could not be saved because it was located in the embankment of the stormwater management pond. He explained that 227 new trees would be planted resulting in a tree cover of 16 percent when only ten percent was required, which adequately addressed the tree preservation concern of staff. He

again pointed out that two-story buildings would create a more obtrusive facility, which was not what the citizens were looking for when they supported the Plan Amendment.

Mr. Lawrence responded to a question from Commissioner Wilson about access to the proposed development.

Chairman Murphy called the first listed speaker.

Mr. Steve Mehr, 3100 Holly Hill Road, Alexandria, owner of Holly Hill Self Storage, requested that the application be denied because new storage facilities were not needed in the area and would adversely affect existing facilities. (A copy of his remarks is in the date file.)

Chairman Murphy told Mr. Mehr that the Planning Commission could not base its decision on the fact that development of this type was not needed in the area.

Mr. Robert Yancy, 809 Main Street, Newport News, President of John Yancy Corporation and owner of the subject property, said the types of development suitable for the property were limited because of its frontage and access. He said he had worked for over seven years with citizens' associations and the Task Force on the development of this site and agreed with Mr. Lawrence that the Comprehensive Plan had been amended with the development presented tonight in mind.

There were no further speakers, therefore, Chairman Murphy called upon Mr. Lawrence for a rebuttal statement.

Addressing the concern raised by Mr. Mehr, Mr. Lawrence said that a market study done by Shurgard indicated that a tremendous amount of unfilled demand existed in the area for storage facilities and that was why they were enthusiastically pursuing this application.

Mr. Lawrence responded to questions from Commissioner Harsel about the square footage of office space, screening and buffering, vehicular and pedestrian circulation, and the appearance and height of the fence.

There were no further comments or questions from the staff, and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Alcorn for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF APPLICATION SE-97-L-041, SUBJECT TO THE DEVELOPMENT CONDITIONS NOW DATED JULY 24, 2002, WITH THE FOLLOWING CHANGE, AS PASSED OUT TONIGHT, TO DEVELOPMENT CONDITION NUMBER 8 AND THAT IS INCLUDING REFERENCES TO SHEET 5 AS SHOWN IN THIS HANDOUT.

Commissioner Wilson seconded the motion carried by a vote of 7-1 with Commissioner Byers opposed; Commissioners Hall, Kelso, Koch and Smyth absent from the meeting.

Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATION OF TRANSITIONAL SCREENING REQUIREMENTS ALONG THE WESTERN LOT LINES AND WAIVER OF BARRIER REQUIREMENTS ALONG THE NORTHWESTERN AND WESTERN LOT LINES.

Commissioner Wilson seconded the motion which carried by a vote of 6-2 with Commissioners Byers and Harsel opposed; Commissioners Hall, Kelso, Koch and Smyth absent from the meeting.

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SE-2002-DR-005 - JOHN MILTON COLTON HAND, II, ALEXANDRA H. MATEER AND VICTORIA B. HAND - Appl. under Sects. 9-612 & 9-615 of the Zoning Ord. to permit a residential cluster subdivision & a waiver of the open space requirement in a cluster subdivision on property located at 1340, 1342 & 1344 Ballantrae La. on approx. 8.24 ac. zoned R-1. Tax Map 31-1 ((2))1A, 7A&24A. DRANESVILLE DISTRICT. PUBLIC HEARING.

Lynne Strobel, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, PC, reaffirmed the affidavit dated June 18, 2002. Commissioner Alcorn disclosed that an interested party in this case was his brother, Daniel Alcorn. He therefore recused himself.

Ms. Leslie Johnson, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Ms. Johnson responded to a question from Commissioner Wilson about the conservation easement.

Ms. Strobel stated that the property subject to this application was family owned. She said the family desired to subdivide it from three to four lots to allow for the sale of two of the lots while retaining ownership of the other two, and to preserve the existing family home. She explained that a by-right subdivision plan for the property had been approved in 2001 for a six lot subdivision to be served by a public street terminating in a cul-de-sac, but had been placed on hold because it did not seem to be the best way to divide the property. She said although the original plan maximized the density, it required demolition of the existing house and resulted in a large amount of impervious surface and other features which the family did not believe were in keeping with the character of the area. She noted that because the property had a number of environmentally sensitive features worthy of preservation, the applicant had decided to pursue a cluster subdivision which required special exception approval. She said the four lots would have

a density of .51 dwelling units per acre, less than that permitted under the existing R-1 zoning, with 2.76 acres left in open space. She said the applicant had met with the Ballantrae Citizens Association and the McLean Citizens Association. She said two issues had been raised: (1) that the development be in keeping with the character of the area; and (2) that the street lighting be waived. Addressing these issues, she said a requirement would be put into the deeds of conveyance that the architectural plans be reviewed by the Ballantrae Citizens Association and that the Board of Supervisors would be requested to waive the street lighting requirement.

Ms. Johnson responded to a question from Commissioner Wilson about a waiver of the street lighting.

Chairman Murphy called the first listed speaker.

Ms. Adrienne Whyte, 6704 West Falls Way, Falls Church, representing the McLean Citizens Association, said the Association wholeheartedly supported the application. She said it should become a model for residential development on environmentally sensitive land.

Mr. Daniel Alcorn, 1335 Ballantrae Lane, McLean, President, Ballantrae Citizens Association, recognized members of the Association. He expressed support for the application.

There were no further speakers. Therefore, Chairman Murphy called upon Ms. Strobel for a rebuttal statement. Ms. Strobel declined. There were no comments or questions from the Commission and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner DuBois for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner DuBois MOVED THE PLANNING COMMISSION RECOMMEND APPROVAL OF SE-2002-DR-005, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JULY 25, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioners Hall, Kelso, Koch and Smyth absent from the meeting.

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF THE CLUSTER SUBDIVISION REQUIREMENT THAT ONE ACRE OF OPEN SPACE WITH A WIDTH GREATER THAN 50 FEET BE PROVIDED OUTSIDE THE FLOODPLAIN.

Commissioners Byers and Wilson seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioners Hall, Kelso, Koch and Smyth absent from the meeting.

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD DIRECT THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES TO WAIVE THE STREET LIGHT REQUIREMENT WHEN IT COMES TO THE BOARD.

Commissioners Byers and Wilson seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioners Hall, Kelso, Koch and Smyth absent from the meeting.

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The meeting was adjourned at 12:15 a.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Linda B. Rodeffer

Approved on: May 6, 2004

Linda B. Rodeffer, Deputy Clerk to the
Fairfax County Planning Commission